

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:14 CV 664
)	
MEYER MANAGEMENT, INC.,)	Judge Timothy S. Black
)	
Defendant.)	
_____)	

CONSENT DECREE MODIFICATION

The United States of America, on behalf of the United States Environmental Protection Agency (“EPA”) and the Department of Housing and Urban Development (“HUD”), acting through the undersigned counsel, states as follows:

WHEREAS, on August 19, 2014, the United States filed this action against Meyer Management, Inc. for violations of the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. §§ 4851-4856, and the Toxic Substances Control Act, 15 U.S.C. §§ 2601-2692 (“TSCA”). On the same day, the United States lodged a proposed Consent Decree to resolve the claims asserted in the complaint. On October 6, 2014, after a period of public notice and comment during which no comments were received, this Court entered the Consent Decree.

WHEREAS, the Defendant has substantially complied with all terms of the Consent Decree over the past six years. Specifically, Defendant has completed all work required under Section VII of the Consent Decree on 124 out of 136 residential units listed in Appendix 1 to the Consent Decree (“Subject Properties”).

WHEREAS, several of the tenants in the 12 Subject Properties where required work has not been completed are unwilling to move out, even temporarily, during the current pandemic. This and other difficulties have prevented Defendant from completing the work required. A brief delay in completing this work, currently due on December 10, 2020, is justified to protect tenants and provide them with ample time to vacate their units while work is being completed.

WHEREAS, Plaintiff and Defendant (the “Parties”) have agreed to an extension of six months to the deadline for completing all work required by Section VII.

WHEREAS, any modification to the terms of the Consent Decree must be made in writing and approved by the Parties and the Court, pursuant to Paragraph 45.

WHEREAS, the Parties recognize, and the Court by entering this Consent Decree Modification finds, that it has been negotiated at arms-length and in good faith and that this Consent Decree Modification is fair, reasonable, and in the public interest.

NOW, THEREFORE, it is hereby Ordered, Adjudged, and Decreed:

1. Except as specifically provided in this Consent Decree Modification, all provisions of the original Consent Decree shall remain in full force and effect. No provision of the original Consent Decree is modified, superseded, or altered in any way except as specifically provided in this Consent Decree Modification.

2. Paragraph 16.E.(i) is modified to allow for Defendant to have an additional six months to complete all work required by that provision. Specifically, the work required to be conducted pursuant to Paragraph 16.E.(i) shall be completed by June 30, 2021.

3. The undersigned representative of Meyer Management and of the Assistant Attorney General for the Environment and Natural Resources Division of the Department of

Justice certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Decree Modification and to execute and legally bind such Party to this document.

4. This Consent Decree Modification may be executed in counterparts.

SO ORDERED.

Dated and entered this 5 day of November, 2020

s/Timothy S. Black
TIMOTHY S. BLACK
UNITED STATES DISTRICT JUDGE

THE UNDERSIGNED PARTY enters into this Consent Decree Modification in the matter of United States v. Meyer Management, Inc., Civil Action No. 14-664 (S.D. Ohio).

FOR THE UNITED STATES OF AMERICA

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FOR THE UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT

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FOR THE UNITED STATES ENVIRONMENTAL
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s/ Mary T. McAuliffe

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THE UNDERSIGNED PARTY enters into this Consent Decree Modification in the matter of United States v. Meyer Management, Inc., Civil Action No. 14-664 (S.D. Ohio).

FOR MEYER MANAGEMENT, INC.

 10/30/20

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